

REMARKS

Reconsideration of this application in light of the amendments and the following remarks is respectfully requested.

Status of the Claims

Claims 46-68 are pending, with claims 1-45 having been previously cancelled. Claims 46 and 62 have been amended. No new matter has been added.

Telephone Interview

Applicants' attorney thanks the Examiner for the courtesy extended during the telephone interview conducted on August 9, 2005. Pursuant to the Examiner's helpful recommendations and discussion, claims 46 and 62 have been amended and the substance of the amendments are addressed below.

Status of the Specification

The Examiner has objected to the Specification for repeating material in two locations which appeared on previous pages. Applicants have reviewed the Specification, however, no such duplication could be found. To that effect, applicants enclose a copy of the Specification filed previously.

Rejection Under 35 U.S.C. § 103

Claims 46-48, 50-53, 56-59, and 62-65 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,295,067 to Cho et al. ("Cho") in view of U.S. Patent No. 4,847,761 to Ferriter et al. ("Ferriter").

Regarding independent claims 46 and 62, the Examiner has again rejected the claims and stated that applicants' arguments in the previous Amendment (i.e., the present invention

distinguishes over the prior art in that it is directed to “a tree or net of positions where each position corresponds to an actual physical location in a manufactured product”), while provided in the specification, are not recited in the claims. This issue was discussed during the telephone interview, and it was agreed that the term “net of positions” should be added to the claims to include this distinction. Accordingly, claims 46 and 62 have been amended to reference a “net” of positions corresponding to different predefined locations on the article of manufacture.

With regard to the “variants” of claims 46 and 62, the Examiner has stated that Ferriter teaches variants that represent subcomponents of a component. However, the variants of Ferriter do not include any actual positions. They simply provide a list of components that may be connected to another component. On the other hand, the “position variants” of the present invention identify specific parts that may be used at a particular position. Since Ferriter does not describe actual positions in the way that the present invention does, it follows that combining Cho and Ferriter does not result in the invention of claims 46 and 62. Withdrawal of the rejections to claims 46 and 62 is respectfully requested.

Regarding independent claims 50 and 65, the Examiner has rejected the claims based upon the assertion that Ferriter shows positions corresponding to physical locations in an article of manufacture. Applicants respectfully traverse this rejection. Specifically, the Examiner states that Ferriter “clearly shows positions such as ‘slide strain relief’ and ‘locking knobs (4)’ assigned to the ‘upper handle assembly’, while ‘nuts (2)’ and ‘handle bracket washer’ are assigned to the ‘lower handle assembly’.” Applicants respond by pointing out that the “positions” recited by the Examiner are simply names for components of the article of manufacture taken from the bill of materials display. The figures in Ferriter show, by means of a block diagram, components of a lawnmower handle. The teachings of these block diagrams fall well short of what is recited in the claims of the present invention. The so-called “positions” in Ferriter are not really positions at all, but simply indications of whether one component is proximal to or connected with some other component. In contrast, what is claimed in the present invention is not simply a hierarchical representation of connections wherein the “position” of any component is only defined relative to the nearest neighboring component. Rather, the present invention defines the position of each component in

the assembly such that actual spatial relationships and measurements are immediately available for use in a manufacturing process. Withdrawal of the rejections to claims 50 and 65 is respectfully requested.

With respect to independent claim 56, while a computer system is involved, the substantive limitations presented in the discussion relating to claims 50 and 65 apply to claim 56. Therefore, reference is made to the arguments presented above for claims 50 and 65.

With respect to dependent claims 47-49, 51-55, 57-61, 63-64, and 66-68, Applicants submit that these claims depend directly or indirectly from the independent claims discussed above and should be allowed at least for the same reasons discussed for their respective base claims.

